

AMENDMENT UNDER 37 C.F.R. 1.114(c)
U.S. Application No. 10/654,971

Attorney Docket No. Q77316

REMARKS

Claim 1 has been amended to recite that the prepolymer (I) contains repeating units having a cure site comprising a carbon-carbon double bond in a side chain of the polymer and/or at an end of a trunk chain of the polymer in an amount of not less than 0.1 mol % based on all structural units constituting the prepolymer (I). The basis for the amendment is the content of the structural unit M described at page 32, lines 18-21 of the specification. Claim 5 (the cure site is a carbon-carbon double bond) has been canceled. Claim 6 has been amended to depend from claim 1. Claims 1-10 are rejected, and claims 11-22 are withdrawn from consideration as being directed to a non-elected invention.

Review and reconsideration on the merits are requested.

Claims 1-7 stand rejected under 35 U.S.C. § 102(a) as being anticipated by EP 1 072 905 A1 to Koike et al. for reasons of record. Claims 1-10 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,869,693 to Fryd et al. in view of Koike et al.

As set forth in the Advisory Action dated September 1, 2006, the Examiner considered that the claims as originally filed encompass even a small amount of a cure site and therefore do not distinguish over Koike et al.'s fluorinated co-polymer which the Examiner reasoned may also contain cure site(s) selected from the group consisting of: (A) end functional groups from polymerization, (B) pendant functional groups from the co-monomer(s) used to prepare copolymer, and (C) residual carbon-carbon double bond from starting monomer(s).

The Examiner's second point was that the claims as originally filed broadly encompass any type of cure site, and for this reason also encompass Koike et al.

In response, claim 1 has been amended to recite a minimum content of the cure site which distinguishes over the amount of cure site(s) that may be present in Koike et al.'s fluoropolymer due to (A) end functional groups from polymerization, (B) pendant functional groups, and (C) residual carbon-carbon double bonds. In addition to specifying a minimum amount of the cure site, claim 1 has been further amended to recite that the cure site of prepolymer (I) comprises a carbon-carbon double bond.

In view of the above amendment to the claims, it is respectfully submitted that claims 1-10 are patentable over Koike et al. alone or over Fryd et al. in view of Koike et al., and withdrawal of the foregoing rejections is respectfully requested.

This application is subject to restriction. If elected species (6) is found to be patentable, Applicants respectfully request examination of generic claim 1. If claim 1 is found to be patentable, then Applicants respectfully request the Examiner to withdraw the Election of Species requirement with respect to dependent claims 11-17.

Withdrawn claims 18-22 are drawn to an optical amplifying device or a light-emitting device made of the fluorinated resin composition of claim 1. Therefore, should claim 1 be found to be allowable, Applicants respectfully request the Examiner to withdraw the restriction requirement and to also allow claims 18-22 containing the same patentable features as claim 1.

Withdrawal of all rejections and allowance of claims 1-22 is earnestly solicited.

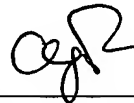
In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

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Respectfully submitted,



Abraham J. Rosner
Registration No. 33,276

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 24, 2006